

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 21 October 2004

In The Matter of

Case No. 2004 LCA 00031

ADMINISTRATOR, WAGE AND
HOUR DIVISION,
Complainant

v.

LIVE TO EAT, INC. a/b/a THE CHALKBOARD
RESTAURANT
Respondent

DECISION AND ORDER

This is a proceeding under the H-1B provisions of the Immigration and Nationality Act, ("INA"), 8 U.S.C. §1101(a)(15)(H)(i)(b) and the applicable regulations issued there under at 29 C.F.R. Part 507. The Administrator and Live to Eat, Inc. d/b/a The Chalkboard Restaurant have filed Consent Findings resolving all issues in dispute in this case relating to Live to East, Inc. d/b/a The Chalkboard Restaurant's contest of the Administrator's findings regarding its compliance with the H-1B provisions of the INA. The Consent Findings are marked for identification as ALJ No. 1, and are attached hereto and made a part hereof. The Court has examined the stipulations of fact and conclusion of law contained therein, and concludes that all issues in contest between the Administrator and Live to Eat, Inc. d/b/a The Chalkboard Restaurant have been resolved. Accordingly,

IT IS ORDERED that the Consent Finding (ALJ No. 1) be, and the same hereby are ***APPROVED***, and

Furthermore, ***IT IS ORDERED*** that prevailing wage compensation in the total amount of \$5,000 to be paid by Live to Eat, Inc. d/b/a The Chalkboard Restaurant to it former employee Michael B Schroder shall be deemed to be full satisfaction of the back wage claim against Live to Eat, Inc. d/b/a The Chalkboard Restaurant arising out its employment of this person.

FINALLY, IT IS FURTHER ORDERED that the Consent Findings be made a part of the record.

A

JEFFREY TURECK
Administrative Law Judge

